



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,614	01/24/2002	Patrik Nilsson	032986-022	9484

27045 7590 05/06/2004

ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR C11
PLANO, TX 75024

EXAMINER

NGUYEN, DUC MINH

ART UNIT	PAPER NUMBER
----------	--------------

2643

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/056,614

Applicant(s)

NILSSON, PATRIK

Examiner

Duc Nguyen

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1.5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Hillis (5,303,297).

Consider claims 1, 7. Hillis teaches a method of providing charge information to a mobile station prior to the completion of a connection involving the mobile station, comprising during the setup phase of the connection, sending one or more CAI elements from the mobile telecommunications network with which the mobile station is registered, to the mobile station; presenting a cost for the connection based on the CAI elements to the user of the mobile station; and giving the user an opportunity to abort the connection setup prior to completion of the setup (col. 3, ln. 25 to col. 4, ln. 22).

Consider claim 6. Col. 3, ln. 65 to col. 4, ln. 3 read on the limitations of this claim.

Consider claim 8. Hillis further teaches the connection is initiated by a third party (user 12 via ISU 26), and the CAI elements being sent to the mobile station and the user given an opportunity to abort the setup (e.g., the calling rate is provided to the ISU 15 after the ISU 15 receiving a call from the ISU 26; however, before the ISU 15 answering the call) (col. 4, ln. 23-40, fig. 1).

Claim Rejections - 35 USC § 103

Art Unit: 2643

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hillis (5,303,297).

Consider claim 2. Hillis further teaches that the connection is initiated by the mobile station, and the CAI elements are sent to the mobile station and the user given an opportunity to abort the setup (col. 3, ln. 25 to col. 4, ln. 22), prior to the sending of an IAM from the origination switching center to a switching center responsible for the terminating node (e.g., the calling rate is provided to the ISU 15 before the telephone system 20 places the call via comlink 22 and ISU 20, to user 11). Noted that Hillis does not explicitly teaches the use of IAM, ANM, CALL_PROCEED and DISCONNECT messages. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt the teachings of Hillis in any network environment such as SS7 network, wherein the use of IAM, ANM, CALL_PROCEED and DISCONNECT messages are well-known.

Consider claim 3. Hillis further teaches the connection is initiated by a third party (user 12 via ISU 26), and the CAI elements being sent to the mobile station and the user given an opportunity to abort the setup, following the receipt of an IAM at the switching center responsible for the mobile station and prior to the sending of an ANM from the switching center to the switching center responsible for the third party (e.g., the calling rate is provided to the ISU

Art Unit: 2643

15 after the ISU 15 receiving a call from the ISU 26; however, before the ISU 15 answering the call) (col. 4, ln. 23-40, fig. 1).


Consider claims 4-5. Col. 3, ln. 25 to col. 4, ln. 22 read on the limitations of these claims.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is 703-308-7527. The examiner can normally be reached on 6:00AM-2:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Duc Nguyen
Primary Examiner
Art Unit 2643

4/30/04